

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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IGNITE SPIRITS, INC., a Wyoming  
corporation,

Plaintiff,

v.

CONSULTING BY AR, LLC, a Florida  
limited liability company; Does I through X,  
inclusive; and Roe Business Entities I through  
X, inclusive,

Defendants.

Case No. 2:21-cv-01590-JCM-EJY

**ORDER**

Consulting by AR, LLC,

Counterclaim Plaintiff,

v.

IGNITE SPIRITS, INC. (f/k/a Ignite  
Beverages, Inc.); IGNITE  
INTERNATIONAL LTD.; and IGNITE  
INTERNATIONAL BRANDS, LTD.,

Counterclaim Defendant.

On October 7, 2021, Defendant Consulting by AR, LLC filed its Response in Opposition to Counterclaim Defendant's Motion to Dismiss or for More Definite Statement together with all exhibits under seal (the "Opposition"). ECF No. 28. On this same date, Consulting by AR filed on the public record its Motion for Leave to File Under Seal Exhibit A-1 to the Response. ECF No. 29. Attached to ECF No. 29 was, allegedly, a redacted version of the Opposition and all exhibits thereto. Upon review of ECF No. 29, the Court found no redactions to the Opposition and the only exhibit unavailable to the public was Exhibit A-1. Thus, the filing of the Opposition and all exhibits, other than Exhibit A-1, under seal at ECF No. 28 was in error. A party shall file under seal **only** that which must be sealed. Nevertheless, on October 8, 2021, the Court granted the Motion to Seal, and sealed, Exhibit A-1 to ECF No. 28. ECF No. 31.

1           Upon review of the docket, as the Court reviews a pending Motion, the Court concluded that  
2 the documents, other than Exhibit A-1 to ECF No. 28, are improperly sealed and duplicative of the  
3 documents filed on the public record attached to ECF No. 29. For this reason, the Court is striking  
4 ECF No. 28 and is requiring Consulting by AR to refile only Exhibit A-1 under seal. It is also  
5 ordering the Clerk of Court to separate ECF Nos. 29-1 through 29-9 from the six pages that comprise  
6 ECF No. 29 and file these documents (ECF Nos. 29-1 through 29-9) on the record as the Opposition  
7 to Counterclaim Defendant's Motion to Dismiss or for More Definite Statement, ECF No. 29-2  
8 (Exhibit A-1) Redacted.

9           Accordingly, IT IS HEREBY ORDERED that Consulting by AR shall immediately refile  
10 Exhibit A-1 to ECF No. 28 as a separate document under seal.

11           IT IS FURTHER ORDERED that the Clerk of Court shall strike document at ECF No. 28  
12 from the docket.

13           IT IS FURTHER ORDERED that the Clerk of Court shall separate documents ECF Nos.  
14 29-1 through 29-9 from ECF No. 29 and file these documents (ECF Nos. 29-1 through 29-9) as  
15 one entry on the docket. The document shall be titled "Opposition to Counterclaim Defendant's  
16 Motion to Dismiss or for More Definite Statement, ECF No. 29-2 (Exhibit A-1)."

17           Dated this 9th day of December, 2021.

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21           ELAYNA J. YOUCHAK  
22           UNITED STATES MAGISTRATE JUDGE  
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